

x:\ATS51861\adoption

ROGER P. McTIERNAN, JR. (RPM 1680)
BARRY, McTIERNAN & MOORE
2 Rector Street – 14th Floor
New York, New York 10006
(212) 313-3600

Attorneys for Defendants ANN TAYLOR STORES CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION

-----X

JORGE ZELAYA AND MARIA ZELAYA,

21 MC 102 (AKH)

Civil Action No.: 07 CV 1730

NOTICE OF ADOPTION

Plaintiff(s),

- against -

ALAN KASMAN DBA KASCO, ANN TAYLOR STORES CORPORATION, BATTERY PARK CITY AUTHORITY, BLACKMON-MOORING-STEAMATIC CATASTOPHE, INC. D/B/A BMS CAT, BROOKFIELD FINANCIAL PROPERTIES, INC., BROOKFIELD FINANCIAL PROPERTIES, LP, BROOKFIELD PARTNERS, LP, BROOKFIELD PROPERTIES CORPORATION, BROOKFIELD PROPERTIES HOLDINGS INC., ENVIROTECH CLEAN AIR, INC., GPS ENVIRONMENTAL CONSULTANTS, INC., HILLMAN ENVIRONMENTAL GROUP, LLC., INDOOR ENVIRONMENTAL TECHNOLOGY, INC., KASCO RESTORATION SERVICES CO., MERRILL LYNCH & CO., INC., NOMURA HOLDING AMERICA, INC., NOMURA SECURITIES INTERNATIONAL, INC., STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL SERVICES, INC., TOSCORP INC., TUCKER ANTHONY, INC., WESTON SOLUTIONS, INC., WFP TOWER A CO., WFP TOWER A CO. G.P. CORP., WFP TOWER A. CO., L.P., WFP TOWER B CO. G.P. CORP.,

WFP TOWER B HOLDING CO., LP, AND WFP TOWER B.
CO., L.P., ET AL.,

Defendant(s).

-----X

COUNSELORS:

PLEASE TAKE NOTICE that defendants, ANN TAYLOR STORES CORPORATION, as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint dated August 8, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that ANN TAYLOR STORES CORPORATION's, Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, ANN TAYLOR STORES CORPORATION denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, ANN TAYLOR STORES CORPORATION demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York
October 15, 2007



ROGER P. McTIERNAN, JR. (RPM 1680)
BARRY, McTIERNAN & MOORE
Attorneys for Defendants
ANN TAYLOR STORES CORPORATION.
2 Rector Street – 14th Floor
New York, New York 10006
(212) 313-3600